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7 UNITED STATES DISTRICT COURT
8 SOUTHERN DISTRICT OF CALIFORNIA
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10 IN RE PORTFOLIO RECOVERY
11 ASSOCIATES, LLC, TELEPHONE
12 CONSUMER PROTECTION ACT
13 LITIGATION

Case No.: 11md02295 JAH - BGS

Member cases:
All member cases

14 **ORDER GRANTING DEFENDANT'S**
15 **MOTION FOR SUPPLEMENTAL**
16 **BRIEFING [Doc. No. 770]**

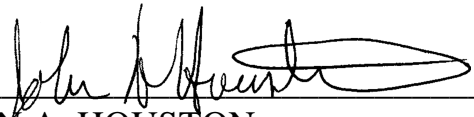
17 Pending before the Court is Plaintiffs' Motion for Leave to File a Reply to
18 Supplemental Authority re: Marks (Dkt. No. 770). Plaintiffs seek to file a reply addressing
19 (1) whether Plaintiffs' arguments regarding Satterfield v. Simon & Schuster, Inc., 569 F.3d
20 946 (9th Cir. 2009) apply equally to the Ninth Circuit's decision in Flores v. Adir Int'l,
21 LLC, 685 Fed. Appx. 533 (9th Cir. 2017); and whether Marks v. Crunch San Diego, LLC,
22 904 F.3d 1041 (9th Cir. 2018) applies to calls made before the Marks decision in September
23 of 2018. Defendant opposes the motion. In the event the Court grants the motion,
24 Defendant requests both parties be provided the opportunity to submit a reply.

25 The Court finds the additional briefing may help to guide the Court in its
26 determination of the pending motions for summary judgment. Accordingly, IT IS
27 HEREBY ORDERED:

28 1. Plaintiffs' motion is GRANTED;

2. The parties shall file their reply briefs on or before November 4, 2019.

DATED: October 25, 2019



JOHN A. HOUSTON
United States District Judge